

IN THE COURT OF APPEALS OF THE  
STATE OF OREGON

STATE OF OREGON,  
*Plaintiff-Respondent,*

*v.*

MICHAEL JACOB ALTHERR,  
aka Michael Jacob Altherr-Miller,  
*Defendant-Appellant.*

Union County Circuit Court  
17CR16981; A168460

Thomas B. Powers, Judge.

Submitted March 6, 2020.

Ernest G. Lannet, Chief Defender, Criminal Appellate Section, and David O. Ferry, Deputy Public Defender, Office of Public Defense Services, filed the brief for appellant.

Ellen F. Rosenblum, Attorney General, Benjamin Gutman, Solicitor General, and Peenesh Shah, Assistant Attorney General, filed the brief for respondent.

Before Armstrong, Presiding Judge, and Tookey, Judge, and Aoyagi, Judge.

PER CURIAM

Reversed and remanded. *State v. Black*, 364 Or 579, 437 P3d 1121 (2019).